

Randolph Township Trustees Public Hearing Tuesday, May 8, 2012

Chairman Roger Klodt opened the public hearing with the pledge at 7:00 p.m. Present: Trustees Roger Klodt, Mike Lang, Sue White, FO Mary Rodenbucher, D. Kolasky, D. Hermann

Roger read the proposed zoning text amendments (see attached)

Roger opened the forum for public discussion. Dolores did not like that it was added to the appendix at the back of the book. As she understands it an appendix is used for supplemental material, such as maps, and not part of the rules. She feels it should be incorporated into the book. Mike stated that it is. Dolores asked if it was approved. Mike stated that the Regional Planning approved it. Dan stated that the commission thought it should be an appendix instead of incorporating it into the zoning book. Dolores stated that it could be incorporated. Regional Planning stated that it should not be an appendix but incorporated. Dan stated it is on the first page. Dolores feels it would be hard to find if someone is looking under normal titles. Roger feels if he needed zoning questions answered he would find out who the zoning people are as they would be more knowable for this type of information. There was previous discussion between the ZC and Dan about putting it in the book. It would be a large undertaking to rewrite the book. Mike suggested putting an asterisk to refer to the changes. Dolores stated that it is not how Regional Planning wants it. Mike understands that but feels that we are here just to approve the text changes.

Sue stated that someone who just gets a book will likely talk to Dan. Roger stated that when someone picks up a zoning book Dan would ask what they are looking for. Mike stated that a person usually has a specific purpose. Sue agrees. Mike feels that it could just be inserted for the purpose of online. The cost issue to reprint the zoning book is impractical. Dolores stated that it had been done in the past. Roger feels we could add a cover page with the amendments and put it online or to pick up. Mike feels most people go online and that could be changed immediately.

Dolores has a comment about commercial parking. The way it reads a truck can be parked on a residential property in the Commercial District. Sue stated that a truck can be parked anywhere in Randolph. Dan asked if parking can be used in Commercial District for commercial trucks. Dan feels that the amendment addresses the commercial parking in residential districts. Dolores stated that there are rules for parking for other districts. Dolores commented that Regional Planning recommends that it be added to section 800.16 which is the parking section. It might be applicable to be put in 707 regulations applicable to all districts which is where most of those things are. Sue stated that some companies have more than one truck. Sue does not have any problem with the company close to her since she cannot see it. Mike asked where she (Dolores) wanted to place it. Dolores stated on the section 708 page as it addresses R1 and R2. Dan suggested the easiest way would be to insert a page after each one. Mike feels we are justified to place it where ever we feel it benefits the purpose. It is just a recommendation from Regional Planning. Dan stated there many areas that it can be placed. Mike is looking at the actual language. Dan stated that for the current time we could follow the commission's recommendation. Mike is agreeable to support the commission.

Roger suggested we deal with each amendment individually. Amendment 1 – He asked if the size and distances are appropriate. Mike has some issues with the distances. He feels you cannot put a sign anywhere. Sue agrees. Mike gave some examples of what he thought the amendment reads. Mike stated that if it is off-site it would be a billboard. Dan stated there is no text for billboards. Mike does not want the old billboards like in the past. Mike is willing to accept the amendment with the comments from Regional Planning. Mike moved to adopt Amendment 1. Sue seconded RCV: Mike – yes; Sue – yes; Roger – yes.

Amendment 2 – Changes to Zoning Book. Sue thought about having a digital sign on her corner. Mike stated that she could have had one if she went to the BZA. Sue moved to accept Amendment 2 as written. Mike seconded. Discussion: Mike feels that digital signs are distracting. Sue stated that in light of the distraction she decided against it. RCV: Mike – yes; Sue – yes; Roger – yes.

Amendment 3 – Commercial Vehicle Parking in Residential Districts. Sue has a problem with keeping people from making a living especially if the place is neat, clean and considerate of other people. She personally feels that nobody should tell someone else what to do on their own property as long as it is not hurting anyone and does not look bad. Mike feels it is complicated and has several viewpoints. He is disappointed that the ZC did not include anywhere for trucks to park initially. Everyone wants immediate gratification for item they ordered

which comes from private trucking. Mike does not think the area where Sue lives would want a couple trucks parked there. He understands that would not occur due to the association rules. Mike feels that with parking behind a resident's house it will not work with the lot size. Sue stated that McCulty's place is extremely nice and clean. They moved there for more room. The same goes for the Horning's. Mike agrees. Mike feels that it is not always that way and for some it takes quite a while to get there. Mike does not want to prohibit it. Mike feels that if it covered there is no problem. Sue stated that others have more trucks and have no issue with appearance, but the problem with neighbors. Mike feels that the appeals board should have a say without making it a personal issue. Mike feels it is the responsibility of the individual to make sure it is compliant. Dolores asked if coming to appeals board would be considered a variance. Mike does not want to make variances. Mike is concerned that when the board gives a variance and it is no longer in use, then the whole picture changes. Mike feels it is really a non-conforming use – conditional use. Dolores is not sure if the board talked about. Mike feels it needs to be discussed further. Dolores stated that there is a lot of language that needs to be checked. Mike feels it opens up the door for Dan to enforce the regulation. Mike feels that the commission needs to support business. If they cannot park at their home, they need to find somewhere to park. Mike stated that issues come up with the behavior of an individual. Sue stated that it is not just commercial property behavior. Mike feels trucking is acceptable as written, but when people get a truck they need to talk to Dan. We need to enforce the rules and keep on playing field. Dolores feels the way it is written the only condition is to park behind a house. Dan stated that it was not addressed where it could be parked before. Mike feels it gives enough options for truck parking. Sue has nothing against agriculture or farming. What is difference between a semi or farm equipment? Mike commented that it is the definition stated in the zoning book. Sue is looking at the fact that the trucker has as much right to make a living as the farmer. Dolores stated that it opens the door for others to think about putting in businesses without regulations. Roger stated that it allows one vehicle. If they have more than that they need to go the appeals board. Dolores stated that it then becomes a variance. Dan stated that more than one truck constitutes a company. Dan explained the conditions of a variance. Sue stated that we need to have other ways for people to make a living. Mike feels it is a big issue. Roger stated that some keep it clean. Mike stated that most independents are. Roger commented that it is a big investment in their business. Mike stated that according to the meeting by the commission, this is the intent. Sue asked what happens to those with more than one. Dan stated that it could be a non-conforming use. Mike stated that it likely will not result in any problems. The courts want us to mediate with the individual. Mike moved to accept the amendment as written. Roger seconded. Discussion: Sue asked how this affects us. Mike stated status quo it is just better defined. Sue asked about problems with a business bringing in junk vehicles. Mike stated that it should not be there especially if it a rental property. Sue asked Dan if permits are required for salvage vehicles. Dan stated that it is true. Sue does not want tow trucks. Mike stated that we cannot regulate what type of truck just the number. Sue asked about junk vehicles. Mike stated that if falls under the criteria of zoning regulation for junk motor vehicles. Dolores feels it is unfortunate that it was left out. Mike feels it was an oversight. Dolores stated that lawyers state that it was not intended to be. Mike stated that were many corrections that were needed from the original regulations. Dolores feels that many have followed what was in book but are now grandfathered as non-conforming. RCV: Mike – yes; Sue – yes; Roger – yes.

Dan asked where to place the amendments. Mike agrees with Dolores that it needs to be placed in more than one place. Mike feels it is up to the commission to place where it is applicable. Roger agrees that it does not need to be just in one place. Dan stated they were working on where to place it at the last meeting.

With no further comments, the hearing adjourned at 7:52 p.m.

Roger Kloft
Mary A. Rodenbucker